

IN THE UNITED STATES DISTRICT COURT  
FOR THE EASTERN DISTRICT OF PENNSYLVANIA

WILLIE JOHNSON

v.

BARRY SMITH and THE  
ATTORNEY GENERAL OF  
THE STATE OF PENNSYLVANIA

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CIVIL ACTION

NO. 20-110

**ORDER**

**NOW**, this 29th day of March, 2021, upon consideration of the petition for writ of *habeas corpus* under 28 U.S.C. § 2254 (Document No. 1), the response to the Petition for Writ of *Habeas Corpus*, the Report and Recommendation filed by United States Magistrate Judge Henry S. Perkin (Document No. 14), and the petitioner's objections to the Report and Recommendation, and after a thorough and independent review of the record, it is **ORDERED** that:

1. The petitioner's objections are **OVERRULED**;
2. The Report and Recommendation of Magistrate Judge Henry S. Perkin is **APPROVED** and **ADOPTED**;
3. The Petition for Writ of *Habeas Corpus* is **DISMISSED WITHOUT PREJUDICE**; and,
4. There is no probable cause to issue a certificate of appealability.

/s/ TIMOTHY J. SAVAGE J.